

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

VAN C. JACKSON,

Plaintiff,

v.

ORDER

JEFFERSON CTY. JAIL, JEFFERSON CTY. JAIL
DEPUTIES, DEP. DUCHER, DEP. SHULTZS, DEP.
WAGNER, SERG. BROST, and LUET. GRAY,

23-cv-214-jdp

Defendants.

I dismissed pro se plaintiff Van C. Jackson's complaint for failure to state a claim upon which relief may be granted. I gave Jackson until May 31, 2023, to file an amended complaint, and cautioned him that I would dismiss the case if he failed to comply with my order. Jackson did not seek an extension of time to file his amended complaint or otherwise try to explain his failure to comply with my order. I will dismiss the complaint for failure to state a claim upon which relief may be granted for the reasons in my order, and I will direct the clerk of court to record a strike against Jackson under 28 U.S.C. § 1915(g). *See Paul v. Marberry*, 658 F.3d 702, 705 (7th Cir. 2011) ("[W]hen . . . the plaintiff is told to amend his . . . complaint and fails to do so, the proper ground of dismissal is not want of prosecution but failure to state a claim, one of the grounds in section 1915(g) for calling a strike against a prisoner plaintiff.").

ORDER

IT IS ORDERED that:

1. Plaintiff's complaint, Dkt. 1, is DISMISSED for failure to state a claim upon which relief may be granted.

2. The clerk of court is directed to record a strike against plaintiff under 28 U.S.C. § 1915(g).
3. The clerk of court is directed to enter judgment and send plaintiff copies of this order and the judgment.

Entered June 28, 2023.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge